

In the Official Action, it was indicated that Claims 1, 3, 5, 7, 8 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Hagen patent in view of the Lee patent. Claims 1, 2, 4, 6, 7 and 9 were rejected under 35 U.S.C. § 102(b) as anticipated by the Hagen patent. The claims were also objected to under 35 U.S.C. § 112, second paragraph, as being indefinite. There was also an objection to the use of the trademark term "VELCRO" in the application.

As an overview to the present reply, Applicant notes that the importance of the present invention is the fact that a cover is applied over the airbag of a vehicle such that when the airbag inflates, one of the edges of the cover will release from the secure attachment with the bodywork of the vehicle so as to allow the airbag to be released without tearing the cover. This is accomplished by securing one edge in a relatively permanently affixed manner to one edge around the airbag housing. The opposite edge or edges of the cover are secured through the use of hook-and-loop material strips along an opposite edge of the housing. As such, when the airbag rapidly inflates, the detachable connection between the complementary hook-and-loop material strips will release one edge before the cover can be torn or fragmented. Applicant respectfully contends that this structure is neither shown nor suggested by the prior art combination.

Applicant has extensively amended original Claim 1 by incorporating the limitations of former Claims 3 - 5 and 7. This amendment is presented in the form of new Claim 11. Also, independent Claim 8 has been extensively revised and has been presented herein in the form of new Claim 14. Original Claims 2 and 6 are presented herein, in proper form, as Claims 12 and 13. Original Claims 9 and 10 are presented herein in the form of new Claims 15 and 16. Each of the new claims has been presented in proper U.S. format including proper antecedent basis throughout improper structural interrelationships. All indefinite language has been removed.

Relative to the rejections based upon the prior art, in particular, the Hagen patent, Applicant notes that the Hagen patent describes a cover of an airbag which comprises a body having a multi-layered structure. Female elements of locking mechanisms are secured to the body so as to keep the cover on its support until the release of the airbag. There are also presented two straps which makes it possible to hold back the cover in relation to the dashboard after the release of the airbag.

Importantly, the present invention is quite different than the Hagen patent in several respects. In the present invention, the body of the cover is made of a layer 8 which allows the shaping and retention of the shape of the cover and a layer 9 for the fastening of the attachment mechanisms on the body. In contrast, in the Hagen patent, a single metal plate 64a is described. This plate 64a functions at the same time for reinforcing the cover 60 (see column 2, lines 59 - 61) and allows the fastening of female elements of locking elements (see column 2, lines 64 and 65) and holding straps 90.

In the present invention, the mechanisms for holding the cover after the release of the airbag are formed in the mass of the body of the airbag and act as a hinge. In contrast, in the Hagen patent, an independent strap is involved which does not play any role in the articulation of the cover. Also, in the present invention, the mechanisms which function to keep the cover on its support until the release of the airbag are formed of complementary hook-and-loop material strips. In contrast, in the Hagen patent, a locking mechanism is involved. Applicant respectfully contends that the structure of the present invention, as defined in original Claims 3 and 5, are structurally novel relative to the structure described in the Hagen patent. Applicant respectfully contends that new independent Claim 11, which integrates Claims 3 - 5 and 7, are patentably distinguishable from the Hagen patent.

With respect to the Examiner's contention of obviousness, Applicant respectfully contends

that is is an important goal of the present invention to provide an airbag cover in which the opening will occur without the tearing or rupture of the cover material. As was stated in the original application, the tearing or rupturing of the cover material can actually inflict injury or damage to the passenger of the vehicle in the event of airbag inflation. The Hagen patent attempts to accomplish this purpose by constructing a cover in which an opening is made by the separation of a male and female parts of a locking mechanism. The covers have a particularly complex structure. These covers are, as the result of the manufacturing, very heavy and costly. Importantly, it is necessary to attach the straps 90. In contrast, the present invention provides an airbag cover which includes a body made of a layer 8 for shaping and rigidification of the body and a layer 9 for fastening. The fact that each of these layers has the specific function enables the selection of a given material for the layer 8, i.e. a thermo-formable synthetic cellular material. The thin portion 12 can be formed in the mass of the panel, for example, by pressure forming. The thin portion is thus necessarily provided along one of the edges of the cover. This thin portion will play the supplementary role of the hinge.

In the present invention, the fact that a specific layer for fastening is provided which is different from the layer for shaping makes it easier to provide for the fixation onto the elements 11a and 11b. This fixation is also made easier by the selection of support elements made from hook-and-loop material. These elements can support stresses greater than those of the locking mechanisms of the Hagen patent. Thus, the cover in accordance with the teachings of the present invention can be formed in a single step in an injection molding procedure. The present invention simultaneously enables the positioning of the fastening layer 9 on the shaping and rigidification layer 8, the positioning of the support elements 11a and 11b on the fastening layer 9 and the formation of the

thin portion 12 (the hinge element).

With respect to the Lee patent, it can be seen that a strap 180 is formed in the mass of the body of the cover of the dashboard described. This strap 180 functions to hold back the body after release of the airbag. This strap allows for the articulation of the airbag when it is opened. However, Applicant respectfully contends that one with ordinary skill in the art would not be led to the combination of the Lee patent with the teachings of the Hagen patent in order to solve the problems posed by the Lee patent. This is because the Lee patent involves an airbag cover that opens by the tearing of the body in the area of the perforation 98. Even though there is no basis for the combination of these prior art patents, they would not suggest the solution in accordance with the teachings of the present invention in combination. In the Lee patent, the strap 180 is not provided along one of the edges of the cover. In contrast, the thin portion 12 is recited as extending from the periphery of the cover. In the Lee patent, the strap 180 could not be formed simultaneously with the other elements of the cover. The present invention allows this to be formed in a single stage operation.

Applicant respectfully contends that the strap 180 on the cover of the Lee patent does not act as a hinge in the nature of the extending edge 12 used in the present invention. In the Lee patent, this function is only obtained by the supplementary operation of the upper surface of the cover with the edges of the opening defined at the level of the dashboard by the opening of the cover.

If the person with ordinary skill in the art had applied the instructions of the Lee patent to the disclosure of the Hagen patent, such a person could have possibly been able to make the straps 90 of the Hagen patent out of the material of the layer core 66 of the Lee patent. However, in no way, would one have been able to make the extending thin portion 12 according to the present

invention. Such a thin portion would only be created by hindsight analysis.

Also, relative to the combination, it is important to note that neither of these prior art patents describes or suggests the use of a body made of two specific layers, i.e. layer 8 for shaping and rigidification and layer 9 for fastening. Neither of these prior art patents suggests the use of the hook-and-loop material strips so as to allow for the retention of the cover on the body work of the vehicle. On this basis, Applicant respectfully contends that independent Claim 11 and independent Claim 14 are patentably distinguishable from the prior art patents.

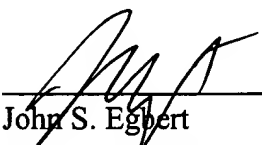
Applicant has amended the specification so as to include the generic terminology relative to the trademark term "VELCRO".

Based upon the foregoing analysis, Applicant contends that independent Claims 11 and 14 are now in a proper condition for allowance. Additionally, those claims which are dependent upon these independent claims should similarly be in condition for allowance. Reconsideration of the rejections is requested and allowance of the claims at an early date is earnestly solicited.

Since no new claims have been added above those originally paid for, no additional fee is required.

Respectfully submitted,

5-18-00
Date



John S. Egbert
Reg. No. 30,627
Attorney for Applicant

Harrison & Egbert
1018 Preston, Suite 100
Houston, Texas 77002
(713)223-4034
(713)223-4873 (Fax)